

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
CORDIUS TRUST,

Plaintiff,

-against-

KUMMERFELD ASSOCIATES, INC. and
ELIZABETH KUMMERFELD,
Defendants.
-----X

**99 CIVIL 3200 (DLC)
CERTIFICATION OF JUDGMENT
FOR REGISTRATION IN
ANOTHER DISTRICT
JUDGMENT #00,0848**

04 SEP 1 10268

I, J. Michael McMahon , Clerk of this United States District Court certify that the attached is a true and correct copy of the judgment entered in this action on April 12, 2000 as it appears in the records of this court, and that * an appeal was taken from this judgment and Judge Alvin K. Hellerstein, Part I having issued an Memo Endorsed Order dated July 30, 2004 directing the Clerk to issue the form necessary to register this judgment in the United States District Court of Massachusetts.

IN TESTIMONY WHEREOF, I sign my name and affix the seal of this Court on
September 13, 2004.

J. Michael McMahon

Clerk

[Signature]

(By) Deputy Clerk

741 9/23/04

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

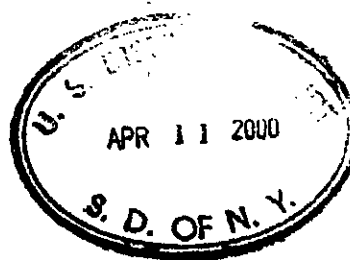
CORDIUS TRUST,

Plaintiff,

- against -

**KUMMERFELD ASSOCIATES, INC. and
ELIZABETH KUMMERFELD,**

Defendants.



Case No. 99 Civ. 3200 (DLC)

JUDGMENT

00,0848

04 MC 10268

This action having come on for trial before the Court, The Honorable Denise L. Cote, United States District Judge presiding, the issues having been duly tried, and the Court having rendered its decision,

IT IS ORDERED AND ADJUDGED that Plaintiff recover from Defendants damages in the amount of \$1,418,000.00, plus prejudgment interest at the rate of ten percent (10%) per annum, calculated from April 26, 1999 through the entry of this judgment, which totals to \$111,011.87 through February 7, 2000 and continues to accrue at the rate of \$388.49 per day until the date of this Judgment, plus postjudgment interest at the statutory rate of 6.287%, which shall be calculated on the damages plus the prejudgment interest earned up to the date of this Judgment from the date of this

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Judgment until the date on which this judgment is satisfied, plus attorneys' fees and costs in the amount of \$ 72,840.73.

FURTHER, IT IS ORDERED AND ADJUDGED that the Defendants take nothing by their counterclaims and that the counterclaims be dismissed on the merits.

FINALLY, IT IS ORDERED AND ADJUDGED that this Court shall retain jurisdiction over this action to address any issues that arise and are brought before the Court in the course of the execution of this Judgment and to address any additional requests for attorneys' fees and costs associated with the collection of this Judgment.

Dated at New York, New York, this 10th day of April, 2000.
~~day of February, 2000~~

James M. Parkison
Clerk of the United States District Court
for the Southern District of New York

Jessica Cooke
USDC

**THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON**

A CERTIFIED COPY
J. MICHAEL McMAHON,

CLERK

BY

Jessica Cooke
DEPUTY CLERK 2

07/30/04 FRI 13:32 FAX 212 805 7907

002

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CORDIUS TRUST,

Plaintiff,

- against -

KUMMERFELD ASSOCIATES, INC. and
ELIZABETH KUMMERFELD,

Defendants.

CORDIUS TRUST,

Petitioner,

- against -

DONALD D. KUMMERFELD,

Respondent.

Case No. 99 Civ. 3200 (DLC)(RLE)

NOTICE OF MOTION

10267
04 MBD 10268

2004 JUL 21 87

MEMO ENTERED

PLEASE TAKE NOTICE, that upon the annexed affirmation of Ross Katz, sworn to on July 16, 2004 and upon the exhibits annexed thereto and upon all other papers and prior proceedings heretofore had herein, the plaintiff will move this United States Courthouse, located at 500 Pearl Street, New York, New York, on a date and time determined by the Court, for leave to register the judgments docketed April 12, 2000 and May 3, 2004 in this jurisdiction with the United States District Court for the District of Massachusetts pursuant to 28 U.S.C. § 1963 and for such other and further relief as this Court deems just, proper and equitable.

Dated: New York, New York
July 16, 2004

The motion is granted.
7-30-04
John K. Hellerstein
Paul T.

NEWY1-612680-1